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SAWYER LAW GROUP LLP
PO BOX 51418
PALO ALTO, CA 94303

EXAMINER
NUNEZ, JORDANY

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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com
nikia@sawyerlawgroup.com

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6,10,12-16,21,23-27,32 and 34-49* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4, 6, 10, 12-16, 21, 23-27, 32, 34-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR

1.17(e), was filed in this application after final rejection. Since this application is eligible for continued

examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the

finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's

submission filed on 08/13/2007 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 1-4, 6, 12-16, 23-27, 34, 35, 37-39, 41-43, 45-49 are rejected under 35 U.S.C. 102(e) as

being anticipated by Slaunwhite et al. (US20030090471, hereinafter Slaunwhite).

As to claims 1, 12, Slaunwhite shows:

A method comprising steps, and a corresponding computer-readable storage medium storing

program instructions, for providing a hot key corresponding to a particular function in a computer system,

the computer system having a graphical user interface (GUI) and including a pointing device enabling a

user to select items displayed in the GUI, the particular function provided for a context of an application

program, a user providing input within a context (abstract, lines 1-7), comprising:

integrating a hot key configuring function into the GUI such that a user can access the hot key

configuring function from within the context and without leaving the context (page 3, paragraph [0040],

lines 5-12) (e.g., user can quickly press hot key, change settings, and then go back to application, without

looking for a toolbar or a large dialog), wherein the context includes a displayed item displayed in the GUI

corresponding to the particular function, and wherein the particular function is performed when the

displayed item is selected by the pointing device (page 3, paragraph [0050])(figures 4 and 5 show that the

zoom GUI item appears in two places, in the top toolbar and as element 202; one of ordinary skill in the

art would readily understand that the zoom GUI item in the top toolbar would be displayed both before the

appearance of element 202 in response to a user pressing a hot key, and after a user dismissal of

element 202; the zoom GUI item in the top toolbar would enable a user to perform the particular function

when the item is selected by the pointing device);

mapping the hot key to the particular function and storing the mapping (e.g., assigning of the

shortcut keys to item types), the mapping and storing performed without the user leaving the context and

in response to the user utilizing the hot key configuring function in the context, wherein the mapping

causes the particular function to be accessed by the computer system when the mapped hot key is

selected (page 2, paragraph [0037]; figure 3), and wherein the mapping includes:

receiving an indication of the particular function (e.g., item type) to which the hot key (e.g., short

cut key) is to be mapped, the indication prodvided by the user moving the pointing device over the

displayed item (e.g., receiver 102 receives the item type from the user input unit 10) to indicate the

particular function corresponding to the displayed item for mapping, wherein the displayed item is

selectable by the pointing device to perform the function for mapping (page 2, paragraph [0036]; figure 3,

element 150); and

receiving a key combination as the hot key in response to the user selecting the key combination

using a hardware input device (page 3, paragraph [0050], lines 1-8; figure 3, element 152).

(Slaunwhite teaches that the assigning of the shortcut keys to item types takes place in the same

process as the displaying of the non-command item; because Slaunwhite teaches that the displaying,

use, and dismissal of the non-command item happens in the same application, one of ordinary skill in the

art would readily understand that the assigning of the shortcut keys takes place in that same application,

or "in the same context").

As to claims 2, 13, 24, Slaunwhite shows:

The method of claim 1 further comprising the step of:

accounting for ambiguities between the hot key (e.g., command item) and a pre-existing hot key

(e.g., non-command item) (page 3, paragraph [0038]).

As to claims 3, 14, 25, Slaunwhite shows:

wherein the pointing device includes a mouse (page 2, paragraph [0027]), and wherein the hot

key configuring function integrating step further includes the steps of:

determining the plurality of items selectable in the context (page 2, paragraphs [0035] and [0036],

lines 1-3);

and providing (e.g., making possible but not necessarily causing) a mechanism that maps at least

one of the plurality of items to the hot key from the context without the user leaving the context (page 2,

paragraph [0036], lines 3-8).

As to claims 4, 15, 26, Slaunwhite shows:

wherein the hot key configuring function integrating step further includes a mechanism that

accounts for ambiguities, if any, between the hot key (e.g., command item) and a pre-existing hot key

(e.g., non-command item) (page 3, paragraph [0038]).

As to claims 6, 16, 27, Slaunwhite shows:

wherein the key combination selected by the user as the hot key includes a plurality of keys (page

3, paragraph [0050], lines 1-8).

As to claim 23, Slaunwhite shows:

A computer system (page 4, paragraph [0058]) comprising:

a hardware mechanism that provides an application, the application providing a context (figure 4) and having a particular function (e.g., zoom) available therein, the particular function provided for a context of an application program (e.g., zooming), a user providing input within the context (e.g., arrow down)(page 3, paragraph [0050], lines 1-12);

a graphical user interface (GUI) (figure 4);

and a hot key configuring function integrated into the GUI (figure 1, element 100) such that a user can access the hot key configuring function from within the context and without leaving the context (page 3, paragraph [0040], lines 5-12) (e.g., user can quickly press hot key, change settings, and then go back to application, without looking for a toolbar or a large dialog), the integrated hot key configuring function utilized by a user to designate a map of the hot key to the particular function and store the mapping without the user leaving the context (e.g., assigning of the shortcut keys to item types), wherein the mapping allows the particular function to be accessed by the computer system when the hot key is selected (figure 3).

(Slaunwhite teaches that the assigning of the shortcut keys to item types takes place in the same process as the displaying of the non-command item; because Slaunwhite teaches that the displaying, use, and dismissal of the non-command item happens in the same application, one of ordinary skill in the art would readily understand that the assigning of the shortcut keys takes place in that same application, or "in the same context").

As to claims 34, 38, 42, Slaunwhite shows:

The method of claim 1 wherein mapping the hot key to the particular function without the user leaving the context includes mapping the hot key to the particular function without the user providing input to a menu separate from the context (page 2, paragraph [0036]; figure 3, elements 150-154) (e.g., no menu is taught).

As to claims 35, 39, 43, Slaunwhite shows:

The method of claim 1 wherein mapping the hot key to the particular function without the user leaving the context includes receiving the indication of the particular function (e.g., item type) made by the user without the user providing input to a menu separate from the context (column 2, paragraph [0036]; figure 3, elements 150) (e.g., no menu is taught).

As to claims 37, 41, 45, Slaunwhite shows:

wherein the item is a text-based item including text (e.g., the text indicating zoom level), and wherein the indication of the particular function includes selecting text of the corresponding item (e.g., setting focus to the zoom level selects the text of the item indicating the zoom level) (page 3, paragraph [0040], lines 1-8; page 1, paragraph [0005], lines 1-9]).

As to claims 46, 47, 48, Slaunwhite shows:

wherein the indicating of the particular function includes clicking on a portion of the text of the corresponding item and wherein the portion of the text is assigned as a portion of the hot key (page 3, paragraph [0040], lines 1-8; page 1, paragraph [0005], lines 1-9]).

As to claim 49, Slaunwhite shows:

The method of claim 1 wherein the context is a particular context, and wherein the application program has a plurality of different contexts which can each independently receive user input (page 1, paragraph [0004]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 10, 21, 32, 36, 40, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Slaunwhite et al. (US20030090471, hereinafter Slaunwhite).

As to claims 10, 21, 32:

Slaunwhite shows a method, computer-readable storage and system substantially as claimed, as

specified above.

Slaunwhite further shows: wherein the computer system further includes a pointing device (page

2, paragraph [0027]), wherein the context includes a displayed feature corresponding to the particular

function (page 2, paragraph [0037]) (e.g., item type on a list) and wherein the mapping step further

includes the steps of:

receiving an indication of the particular function to which the hot key is to be mapped (page 2,

paragraph [0037]) (inherent to "user selects the item type from a list")

receiving a selection of a key combination as the hot key (page 2, paragraph [0036], lines 3-8).

Slaunwhite fails to specifically show: moving the pointing device over the displayed item to

indicate the particular function includes *the user hovering the pointing device over the displayed item for a*

predetermined amount of time.

It as well known to one of ordinary skill in the art, at the time the invention was made, that

selection by dwelling was the same as moving the pointing device over the displayed item to indicate the

particular function includes the user hovering the pointing device over the displayed item for a

predetermined amount of time. Further, one of ordinary skill in the art would also have known that

selection by dwelling is an obvious variation of selection by clicking (e.g., see Forest, 5999895 column 3,

lines 53-66).

Thus, it would have been obvious to one of ordinary skill in the art, having the teachings of

Slaunwhite at the time that the invention was made, to have included the selection by dwelling with the

method, computer-readable storage and system as taught by Slaunwhite.

One would have been motivated to make such combination because a way to simplify the way in

which a user indicates a particular function would have been obtained and desired.

As to claims 36, 40, 44, Slaunwhite shows:

Slaunwhite shows a method, computer-readable storage and system substantially as claimed, as

specified above.

Slaunwhite fails to specifically show: indication of the particular function includes the user

hovering a pointing device over a portion of the corresponding item in the GUI for a predetermined

amount of time.

It would have been obvious to one of ordinary skill in the art, having the teachings of Slaunwhite

at the time that the invention was made, to have included the indicating of the item displayed in the

context including the user hovering a pointing device over a portion of the item in the GUI for a

predetermined amount of time with the method, computer-readable storage and system as taught by

Slaunwhite.

One would have been motivated to make such combination because a way to simplify the way in

which a user indicates a particular function would have been obtained and desired.

Response to Arguments

35 U.S.C. § 102(e) and 103(a) Rejection of claims 1-4, 6, 10, 12-16, 21, 23-27, 32, 34-49

Applicant's arguments have been fully considered but are not persuasive. Examiner reiterates that references to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention. Applicant argues that:

1) There is nothing in Slaunwhite that discloses or suggests that a particular function is performed when a corresponding displayed item is selected by the pointing device, and the particular function is indicated for mapping when the pointing device is moved over the displayed item. As stated above Slaunwhite discloses providing a separate mapping customization dialog where the user selects the item type from a list of available item types and then keys in the shortcut key that is associated with it. The items displayed in Slaunwhite's customization dialog cannot be selected to perform any function; they are simply a list of items each of which describes a function which can be mapped to a keyed-in shortcut key. The displayed windows and boxes of Slaunwhite such as the zoom drop down listbox 200 perform functions, but these displayed windows do not also allow a user to indicate functions for shortcut key mapping as claimed by Applicant (page 16, last paragraph).

Examiner disagrees.

Examiner notes that Slaunwhite discloses that a user (page 2, paragraph [0036]) uses a pointing device to select an item type. Thus, Slaunwhite clearly teaches a particular function being indicated for mapping by using a pointing device to select it. Further, Slaunwhite defines item types as command item types, such as toolbar buttons and menu items, and non-command item types, such as drop down list boxes, slider controls, edit boxes, color selections, etc (page 2, paragraphs [0033] and [0034]). Therefore, Slauwhite does disclose a particular function being performed when a corresponding item is selected by the pointing device (e.g., when a user presses a button on a tool bar, or uses a slider control).

2) Applicant claims that hot key mapping occurs without leaving a single context, not without leaving a single application; a context is not the same as an application as indicated in claim 1 by the recitation that the displayed item is selectable by the pointing device to perform the function and is indicatable by the pointing device to indicate the function for mapping. Using the same displayed item for

both performing and mapping the corresponding function indicates that the user has not left the context in which he or she was working. Using the same displayed item for both performing and mapping the corresponding function indicates that the user has not left the context in which he or she was working (page 17, second paragraph).

Examiner disagrees.

Examiner notes that the limitation referred to by Applicant can be reasonably interpreted to mean that the displayed item can be selected for both to perform its particular function and to be included as the target of a shortcut key or hot key. Slaunwhite teaches both, as specified above. As to the argument that a context is not the same as an application, Examiner notes that Applicant's specification states the opposite in page 2, line 9-12. Particularly, Applicant's specification states that a hot key menu is typically a new screen separate from *the context, or application*, in which the user may be working. Further, one of ordinary skill in the art could reasonably interpret "context" as "the minimal set of data used by a task that must be saved to allow a task interruption at a given date, and a continuation of this task at the point it has been interrupted and at an arbitrary future date." In other words, a context refers the minimal set of data enabling a task to be stopped and continued at a later date. Mapping a shortcut key inevitably stops processing in a current context (i.e., word processing) in order to enable the mapping of said shortcut key. That said mapping of said shortcut key happens almost instantaneously does not cover up the fact that a context change in this sense happens at the processor level, otherwise the processor would not be free to actually map the shortcut keys.

3) Examiner stated that it would have been obvious to have included the receiving of an indication of the particular function to which the hot key is to be mapped when the user hovers the pointing device over the displayed feature, as a way to simplify the way in which a user indicates a particular function. However, there is no suggestion in Slaunwhite even remotely related to such a feature. Rather, the only detail that Slaunwhite discloses for mapping shortcut keys is by using a separate customization dialog having a single purpose to list the functions which can be mapped and allow the user to select them for mapping, and Slaunwhite does not disclose or suggest allowing any of these listed functions to also

provide access or performance of the functions. Thus Slaunwhite teaches away from the claimed method of indicating a function for mapping by moving a mouse pointer over a displayed item that can also be selected to perform the function (page 17, last paragraph).

Examiner disagrees.

As stated above, one of ordinary skill in the art would have known, at the time of the instant invention, that selection by dwell, or hover, is an obvious variation of selection by click. Further, Applicant does not dispute that Slaunwhite teaches selection by click of the item type (page 2, paragraph [0036])

4) Slaunwhite's disclosure is directed toward using keyboard focus on newly- opened windows to allow users to "continue to use the keyboard to modify the value of the non- command item or select an option" (paras. [0040, 0051, 0053]). Slaunwhite simplifies the way the user selects functions, but Slaunwhite focuses on using continuous keyboard input for speed and user convenience, not use of a pointing device. Therefore Slaunwhite teaches away from the invention claimed by Applicant-- it would not be obvious to use Slaunwhite, who concentrates on continuous keyboard input, to achieve Applicant's invention which includes using a pointing device to select a displayed item to perform a function as well as using the pointing device over that displayed item for indicating the function to be mapped to a hot key. This allows a user, for example, to directly point to the function that he or she wishes to map to a hot key, without having to navigate a list of functions as described by Slaunwhite (page 18, first paragraph).

Examiner disagrees.

While Examiner agrees that Slaunwhite simplifies the way the user selects functions, it is incorrect to state that it would not be obvious to use Slaunwhite, who concentrates on continuous keyboard input, to achieve Applicant's invention which includes using a pointing device to select a displayed item to perform a function as well as using the pointing device over that displayed item for indicating the function to be mapped to a hot key. See 3) above.

5) Claim 46 recites assigning a portion of the text of the item as a portion of the hot key, which is not disclosed or suggested by Slaunwhite. For example, Slaunwhite's page 3, paragraph [0040], cited by

the Examiner, is only directed to performing a function when the corresponding hot key is pressed by the user, and has nothing to do with the task of assigning or mapping a function to a hot key. In addition, Slaunwhite sets focus on boxes to allow a user to enter text, but mentions or suggests nothing about selecting text of a displayed item and assigning a portion of the text as a portion of a hot key mapped to that displayed item (page 18, last paragraph)

Examiner disagrees.

Examiner not only directed Applicant to page 3, paragraph [0040], but also to page 1, paragraph [0005]. Page 3, paragraph [0040] states that the focus setter sets focus on the non-command item when it is displayed. Page 1, paragraph [0005] states that non-command items comprise popup menu items, edit boxes, drop down lists, etc. Further, page 4, paragraph [0055], states that the shortcut key Alt-S might be assigned to the "Send To" popup menu. One of ordinary skill in the art would readily see that a portion of the text of the item is a portion of the hot key (e.g., the S in "Send to" is the same as in Alt-S).

6) As to dependent claim 34, the Examiner stated that Slaunwhite shows mapping a hot key to a particular function without the user leaving the context and without the user providing input to a menu separate from the context, at Fig. 3, elements 150-154 "which do not teach a menu." However, elements 150-154 and related description are a broad overview of the mapping process of Slaunwhite. One of ordinary skill would read Slaunwhite's description at paragraph [0037] to see the only description in Slaunwhite for such mapping, which typically involves a customization dialog with an item type list (which is a menu separate from the context). There is no other description of how to map the hot keys to functions in Slaunwhite, and so this teaching is Slaunwhite's description, by default. Therefore Slaunwhite does not disclose the feature of claim 34 (page 19, first paragraph).

Examiner disagrees.

Examiner points Applicant to page 2, paragraph [0036], where Slaunwhite states that to define a shortcut key assignment, first the time type must be identified by using an input device (i.e., a mouse) an then the a shortcut key must be identified. Not mention is made of a menu. As to paragraph [0037], Examiner notes that Slaunwhite discloses that the customization dialog box is *typically* used, and

therefore is not *used at all times*. However, even if this typical customization dialog box were interpreted as the only embodiment possible, one of ordinary skill in the art would readily understand that it is part of the same context, or application because, as user can quickly press a hot key, change settings, and then go back to application, without looking for a toolbar or a large dialog, as shown in figure 3.

7) As to claim 37, the Examiner stated that Slaunwhite shows indicating an item for mapping including selecting text of an item. However, Slaunwhite' s "focus setter" (not the user) sets focus on a non-command item of a displayed popup item window after the shortcut key has already been mapped, since the "corresponding shortcut key" has been pressed by the user to cause the window and non-command items to be displayed (it is "corresponding" and thus it has already been mapped) (para. [0039]). There is no description in Slaunwhite of selecting text of item to indicate that item for mapping to a shortcut key (page 19, second paragraph)

Examiner disagrees.

See 5) above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

May   [U.S. 5973688]

Wang   [US7015898]

Williams et al   [US20040239637]

Numano   [US6934778]

Forest   [US5999895, column 3, lines 53-66]

Tarbox et al.   [US6020889, column 5, lines 55-66]

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordany Núñez whose telephone number is (571)272-2753. The examiner can normally be reached on Monday Through Thursday 9am-7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571)272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JN
10/24/2007

WEILUN LO
SUPERVISORY PATENT EXAMINER